

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

In re: JOSEPH D. DRAGON, and JENNIFER A. DRAGON, Debtors, TOYOTA LEASE TRUST, Movant, v. JOSEPH D. DRAGON, JENNIFER A. DRAGON, and WILLIAM C. MILLER, Trustee, Respondents.	Bankruptcy No. 20-12436-mdc Chapter 13 Document No.
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MOTION FOR RELIEF FROM THE AUTOMATIC STAY

AND NOW, comes Movant, Toyota Lease Trust, by and through its undersigned counsel, Bernstein-Burkley, P.C., and files this Motion for Relief from the Automatic Stay (the “Motion”), representing as follows:

The Parties

1. Respondents, Joseph D. Dragon, Jennifer A Dragon, (“Debtors”), are adult individuals with a place of residence located at 687 Mansion Street, Bristol, PA 19007.
2. William C. Miller, is the duly appointed Chapter 13 Trustee and is currently acting in such capacity.

Jurisdiction and Venue

3. This matter is a core proceeding and this Court has jurisdiction pursuant to 28 U.S.C. § 1334. Venue is proper pursuant to 28 U.S.C. §§ 1408 and 1409. Movant seeks relief pursuant to 11 U.S.C. § 362(d) and FRBP 4001 and 9014.

Factual Background

4. On or about May 27, 2020, Debtors filed a voluntary petition for relief pursuant to Chapter 13 of the Bankruptcy Code.

5. On or about May 29, 2018, Debtors leased a 2018 Toyota Corolla IM VIN: JTNKARJE8JJ567102, pursuant to a Closed-End Motor Vehicle Lease Agreement (the “Lease”) with the Movant, a true and correct copy of which is attached hereto as Exhibit A.

6. Movant has a secured interest in the 2018 Toyota Corolla IM VIN: JTNKARJE8JJ567102, as evidenced by the Certificate of Title attached hereto as Exhibit B.

7. The Lease requires monthly payments of \$251.08, which amounts are due on or before the 29th of each month. The Lease has reached maturity as of June 1, 2021

8. Debtors’ Chapter 13 Plan states that payments to Movant will be made outside the Plan.

9. The gross balance due on the Contract is \$10,531.39.

10. The N.A.D.A value for the 2018 Toyota Corolla IM VIN: JTNKARJE8JJ567102 is \$19,600.00. A true and correct copy of a printout showing that value is attached hereto as Exhibit C.

11. Movant is entitled to relief from the automatic stay for cause, as the lease has matured.

WHEREFORE, Movant, Toyota Lease Trust, respectfully requests that this Honorable Court enter an Order, pursuant to 11 U.S.C. § 362(d), granting Movant relief from stay with respect to the 2018 Toyota Corolla IM VIN: JTNKARJE8JJ567102.

Respectfully submitted,

BERNSTEIN-BURKLEY, P.C.

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Dated: June 11, 2021